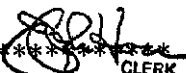


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
DEC 07 2009


CLERK

J.D. EVANS, INC.,

Plaintiff,

vs.

VOLVO GROUP NORTH AMERICA,
INC., a Delaware corporation;
VOLVO CONSTRUCTION
EQUIPMENT NORTH AMERICA,
INC., a Delaware corporation;
VOLVO ROAD MACHINERY, INC.,
a North Carolina corporation,
INGERSOLL-RAND COMPANY,
a New Jersey corporation,

Defendant.

CIV 08-4059

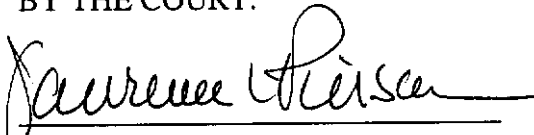
JUDGMENT OF DISMISSAL

Based upon the Plaintiff's Request for Stipulated Dismissal with Prejudice, Doc. 85, and the attached Stipulation of Dismissal with Prejudice, it is hereby,

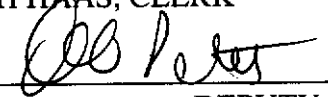
ORDERED, ADJUDGED AND DECREED that the Complaint of the Plaintiff is hereby dismissed upon the merits, with prejudice, and with each party to pay its own costs and attorney's fees.

Dated this 7th day of December, 2009.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: 
DEPUTY